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USIB-D-5.1/6
23 November 1966

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UNITED STATES INTELLIGENCE BOARD

MEMORANDUM FOR THE UNITED STATES INTELLIGENCE BOARD

SUBJECT : Revision of DCID No. 1/7 (New Series), "Controls for Dissemination and Use of Intelligence and Intelligence Information"

REFERENCES : a. DCID No. 11/2, 15 November 1954
b. DCID No. 1/7, 21 February 1962
c. CODIB-D-77/2, 30 September 1966
d. USIB-D-39.5/19, 26 August 1963

25X1 1. The attached memorandum from the Chairman of the Committee on Documentation (CODIB) is circulated for USIB consideration of the CODIB recommendation to revise DCID No. 1/7 as defined in paragraph 6 of [redacted] memorandum. The CODIB revisions, which were proposed originally by DIA in reference c., are designed to clarify USIB policy regarding release of NO FOREIGN DISSEM information to foreign nationals and immigrant aliens.

USIB Action Requested

2. Board members are requested to advise the Secretariat no later than close of business 1 December 1966 of their concurrence in or other views on the CODIB recommendation in paragraph 6 of the attachment.

*Record of Board
action attached.*

[redacted] 25X1
[redacted] Executive Secretary 25X1

Attachment

*Regular "D" files
100 to CODIB*

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downgrading and
declassification

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CODIB-D-77/3
21 November 1966

U N I T E D S T A T E S I N T E L L I G E N C E B O A R D
COMMITTEE ON DOCUMENTATION

MEMORANDUM FOR: Chairman, United States Intelligence Board

SUBJECT : Revision of DCID 1/7 (New Series), Controls
for Dissemination and Use of Intelligence and
Intelligence Information

REFERENCES : (a) DCID 11/2, 15 November 1954
(b) DCID 1/7, 21 February 1962
(c) CODIB-D-77/2, 30 September 1966
(d) USIB-D-39.5/19, 26 August 1963

1. Reference (a), which was subsequently superseded by DCID 1/7, specifically stated that intelligence and intelligence information bearing the warning phrase NOT RELEASABLE TO FOREIGN NATIONALS could not be released to "...foreign nationals and immigrant aliens, including U.S. government employed, utilized or integrated foreign nationals and immigrant aliens, without the permission of the originating agency." [Paragraph 3.a., reference (a)]

2. The only statement in DCID 1/7 comparable to the above is contained in footnote 2 on page 4 as follows:

"For the purposes of this Directive, no release of a classified intelligence document, whether or not bearing a control marking, shall be made to U.S. employed, utilized or integrated foreign nationals without the permission of the originating agency."

It will be noted that the term immigrant aliens is not contained in this quote from DCID 1/7, whereas it did appear in its predecessor, DCID 11/2.

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3. DCID 1/7 further states [paragraph 6.b.(2), reference (b)] that documents bearing the control marking NO FOREIGN DISSEM "...must not be released to foreign governments." However, it does not specifically preclude release of such material to immigrant aliens such as employees of a U.S. contractor.

4. In reference (c) the DIA member of CODIB pointed out that the Department of Defense Industrial Security Manual for Safeguarding Classified Information defines immigrant alien as "...any person lawfully admitted into the United States under an immigration visa for permanent residence." It further cautions that "...immigrant aliens are not eligible for access authorizations for COMMUNICATIONS ANALYSIS information or for TOP SECRET or SECRET CRYPTOGRAPHIC information." There is no mention in the manual of prohibiting disclosure of classified information stamped NO FOREIGN DISSEM to an immigrant alien employee of a contractor. From the definition given above, an immigrant alien is apparently not considered to be a "Foreign National."

5. Reference (d), "USIB Policy on Release of Intelligence to Contractors, states that "Intelligence material will not be released to foreign nationals whether or not they are also consultants, U.S. contractors or employees of contractors, regardless of the level of their security clearance, except with the specific permission of the originating agency." Again, this does not specifically preclude release to immigrant alien employees of a U.S. contractor.

6. In an effort to close this apparent loophole, the Committee on Documentation recommends that USIB approve the following revisions to DCID 1/7:

a. Page 4, footnote 2, to read:

"For the purposes of this Directive, no release of a classified intelligence document, whether or not bearing a control marking, shall be made to foreign nationals and immigrant aliens, including U.S. government employed, utilized or integrated foreign nationals and immigrant aliens, without permission of the originating agency."*

b. Page 5, portion of paragraph 6.b.(2) defining NO FOREIGN DISSEM Document, to read:

*Underlined words are new.

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"The document must not be released to foreign governments, foreign nationals, immigrant aliens and U.S. government employed, utilized or integrated foreign nationals and immigrant aliens without permission of the originating agency."*

7. This recommendation has been coordinated with the Chairman, USIB Security Committee.



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Chairman
USIB Committee on Documentation

*Underlined words are new.

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FORM NO. 237 Use previous editions (40)

UNITED STATES INTELLIGENCE BOARD

TELEPHONE VOTE ACTION

SUBJECT : Revision of DCID No. 1/7 (New Series), "Controls for Dissemination and Use of Intelligence and Intelligence Information"
REFERENCE : USIB-D-5.1/6, 23 November 1966
DUE DATE : COB Thursday, 1 December

Agency	Vote	By	Date	
CIA	Concur	Adm. Taylor	1 Dec	
State	Concur	Mr. Hughes (Mrs. Hall)	1 Dec	
DIA	Concur	Gen. Whitney	1 Dec	STAT
NSA	Concur		2 Dec	
AEC	Concur	Mr. Sommer for Mr. Brown (Mrs. Wood)	30 Nov	
FBI	Concur	Mr. Cregar for Mr. Sullivan (Miss Hogan)	29 Nov	

Remarks: _____

Approved by DCI on 2 February 1967
 Record USIB-M-462, 2 February 1967, Secretary's Note

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16-5158

6 December 1966

MEMORANDUM FOR: Chairman, United States Intelligence Board

SUBJECT : Revision of DCID 1/7: Controls for
Dissemination and Use of Intelligence and
Intelligence Information

REFERENCE : USIB-D-5.1/6, 23 Nov 66

1. This memorandum is for information and explains why DIA recommended a change in DCID 1/7, and why we concur.

2. Immigrant aliens are sometimes employed by or as a U.S. intelligence contractor to whom intelligence may be released to enable him to perform his contract.

3. The present directive (DCID 1/7) does not specifically prohibit one agency from releasing another agency's intelligence to such immigrant aliens even though marked NO FOREIGN DISSEM.

4. The change we have recommended in DCID 1/7 is therefore designed specifically to treat the immigrant alien in this country as though he were a foreign national for purposes of withholding intelligence marked NO FOREIGN DISSEM.

5. The proposed change will have no effect on the exploitation of defectors or on CIA's ability to do what it wants with its own information. It will offer additional protection to CIA material which is stamped NO FOREIGN DISSEM and is in the hands of others.

[Redacted Signature]

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Chairman
USIB Committee on Documentation

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declassification